

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Yuri Antonio Scott

Docket No. 7:01-CR-77-1F

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Yuri Antonio Scott, who, upon an earlier plea of guilty to Distribution of Cocaine Base, 21 U.S.C. §841(b)(1)(C), Use and Carry a Firearm in Relation to a Drug Trafficking Crime, 18 U.S.C. §924(c)(1)(A)(i) and Distribution in Excess of 5 Grams of Cocaine Base, 21 U.S.C. §841(b)(1)(B), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on November 6, 2001, to the custody of the Bureau of Prisons for a total term of 156 months (96 months in Counts 1 & 9 and 60 months in count 2 to run consecutively). It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
4. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On November 3, 2008, pursuant to 18 U.S.C. § 3582(c)(2), the sentence in Counts 1 & 9 was amended and reduced from 96 months to 78 months. Count 2 was not impacted.

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Yuri Antonio Scott was released from custody on August 5, 2011, at which time the term of supervised release commenced.

On January 31, 2014, the court was apprised the releasee had used marijuana and modified his conditions to include 24 hours of community service work.

On March 28, 2014, the court was apprised the releasee had admitted to using marijuana again to cope with stress. He was admonished and referred to both substance abuse and mental health treatment. The court agreed to hold the violation behavior in abeyance and allow the releasee to participate in treatment.

On June 16, 2014, the court was apprised the releasee had tested positive for the use of marijuana. The court modified the releasee's conditions to include a cognitive behavioral treatment program. The releasee began participating in the Moral Reconation Therapy (MRT) Program facilitated by the probation office on June 26, 2014.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On July 17, 2014, the releasee produced a urine screen which revealed positive results for marijuana. He admitted to the probation officer that he had tried to stop smoking, but had been unsuccessful. He stated that he continues to struggle with emotional and financial stress and smoking marijuana is his way of coping.

The releasee is currently attending mental health and substance abuse treatment and participating in the MRT program. He states that it is all beneficial and he feels he is making progress. The releasee's therapist at Coastal Horizons Center believes the releasee is benefitting from participating in the treatment programs and advised this officer that it takes time to learn new coping mechanisms. She has scheduled the releasee an appointment with the psychiatrist to have him assessed for medication.

Considering the releasee's motivation to attend treatment and work towards positive change, it is this officer's recommendation that the court continue supervision and as a sanction for his drug use, modify his conditions to include two weekends in jail. The releasee signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons from 6:00 p.m. on Friday to 6:00 p.m. on Sunday, for a period of two (2) consecutive weekends, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
Executed On: August 8, 2014

ORDER OF COURT

Considered and ordered this 8th day of August, 2014, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge